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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

NCO FINANCIAL SYSTEMS, INC.,
Plaintiff,
v.
DAN JOSEPH MASON and ROES 1 through
15, inclusive,
Defendant.

CASE NO.: 11-cv-152 JF

**STIPULATED REQUEST AND
~~PROPOSED~~ ORDER CONTINUING
THE CASE MANAGEMENT
CONFERENCE BY ONE WEEK**

**Date: April 15, 2011
Time: 10:30 a.m.
Place: Courtroom 3
Judge: The Hon. Jeremy Fogel**

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DAN JOSEPH MASON,

Cross-Complainant,

v.

CONNECTICUT GENERAL LIFE
INSURANCE CO. and ROES 1 through 15,

Cross-Defendant.

RECITALS

WHEREAS, Cross-Complainant Dan Joseph Mason (“Mason”) filed this action against Cross-Defendant Connecticut General Life Insurance Company (“CGLIC”) in the Superior Court of the State of California, County of Santa Clara, on or about December 14, 2010, seeking the payment of additional medical benefits from his employer-sponsored medical plan, the Tyco Electronics Medical Plan (“Tyco Plan”), to cover two days of a three-day hospital stay;

WHEREAS, CGLIC removed the case to this Court on January 11, 2011;

WHEREAS, the case was originally assigned to the Honorable Howard R. Lloyd;

WHEREAS, the case was re-assigned to the Honorable Jeremy Fogel on January 28, 2011;

WHEREAS, on February 15, 2011, Judge Fogel set a Case Management Conference in this case for April 15, 2011 at 10:30 a.m.;

WHEREAS, the parties have meet and conferred pursuant to the Rules of this Court and have prepared a draft Joint Case Management Conference Statement;

WHEREAS, Mason and CGLIC are in settlement negotiations;

WHEREAS, CGLIC is still in the process of determining certain facts that will impact Mason’s jurisdictional and preemption arguments; and

WHEREAS, the conclusion of CGLIC’s investigation may hasten settlement negotiations and bring this matter to resolution before the Case Management Conference.

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STIPULATION

IT IS HEREBY STIPULATED, by and between the parties, through their respective counsel of record, that, if the Court's calendar allows it, the Case Management Conference in this matter shall be continued by one week from Friday, April 15 to Friday April 22, 2011 at 10:30 a.m. The parties shall file their Joint Case Management Statement on or before Friday, April 15, 2011.

Dated: April 7, 2011

PRATT & ASSOCIATES

By /S/ Patricia A. Wendleton
PATRICIA A. WENDLETON
Attorneys for Defendant and
Cross-Complainant
DAN JOSEPH MASON

Dated April 8, 2011

WILSON, ELSER, MOSKOVITZ, EDELMAN &
DICKER, LLP

By /S/ Donald P. Sullivan
DONALD P. SULLIVAN
Attorney for Cross-Defendant
CONNECTICUT GENERAL LIFE
INSURANCE COMPANY


Dated: April 8, 2011

RODNEY WILBUR SIMMONS

By /S/ Rodney Wilbur Simmons
RODNEY WILBUR SIMMONS
Attorney for NCO Financial Systems, Inc.

PURSUANT TO STIPULATION, IT IS SO ORDERED:

Date: 4/12/11



The Hon. Jeremy Fogel
United States District Judge